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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,785	02/23/2004	Nobushige Korenaga	00862.023468	5519
5514	7590	02/09/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			SY, MARIANO ONG	
			ART UNIT	PAPER NUMBER
			3683	

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/782,785	Applicant(s) KORENAGA, NOBUSHIGE	
	Examiner Mariano Sy	Art Unit 3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 21, 2005 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13-18 and 21-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Yagishita (JP 7-267192-A).

Re-claim 13 Yagishita disclosed, as shown in fig. 1-3, a supporting apparatus for supporting a member which mounts a movable stage 1 to a base 2, said apparatus comprising: a first magnet 3 arranged on one of the member and the base; a second magnet unit 4, 4' arranged on the other of the member and the base on which said first magnet is arranged, and arranged so that said first magnet is interposed, wherein magnetized directions of said first magnet and said second magnet unit are perpendicular to a supporting direction of the member, and wherein a width size of said

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second magnet unit in a perpendicular direction to the magnetized directions and the supporting direction is larger than a width size of said first magnet, (see abstract, both cabin and helicopter body are attached in such a manner to cope with loads in three directions of a vertical, a lateral and a longitudinal direction).

Re-claim 14, see fig. 3, electromagnetic actuator 10, 11.

Re-claim 15, wherein the second magnet unit is arranged on the base.

Re-claims 16 and 17 further comprising changing means 10, 11 for changing a region in which said first and second magnet unit face each other; wherein said changing means moves a plurality of magnets which constitute said second magnet unit in the perpendicular direction to the magnetized directions and the supporting direction.

Re-claim 18 wherein said first magnet and second magnet unit are arranged so that spring constant becomes substantially zero in the perpendicular direction to the magnetized directions and the supporting direction.

Re-claim 21 Yagishita disclosed, as shown in fig. 1-3, a supporting apparatus for supporting a member which mounts a movable stage 1 to a base 2 in a first direction, said apparatus comprising: a first magnet 3 arranged on the member, and magnetized in a second direction perpendicular to the first direction; a second magnet unit 4, 4' arranged on the base, and arranged so that said first magnet is interposed; and moving means 10, 11 for moving a plurality of magnets which constitute said second magnet unit in a third direction perpendicular to the first direction and the second direction, see abstract, both cabin and helicopter body are attached in such a manner to cope with loads in three directions of a vertical, a lateral and a longitudinal direction).

Re-claim 22, wherein a supporting force for supporting the base is changed by using said moving means.

Re-claim 23, wherein the supporting force is changed based on moving of the plurality of magnets corresponding to moving of the stage.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19, 20, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yagishita in view of Tanaka (US 6,496,248).

Re-claims 19, 20, 24, and 25, the claimed invention differs only in the intended use and are taught by Tanaka. It would have been obvious to one of ordinary skill in the art to have utilized the supporting apparatus of Yagishita with an exposure apparatus and/ or a device manufacturing method, as taught by Tanaka, as a matter of intended use and sized the apparatus accordingly based on the intended use.

Response to Arguments

6. Examiner maintains Yagashita (JP 7-267192-A) still reads on the claim language.

Yagashita disclosed, as shown in fig. 2, a width size of a second magnet unit 4, 4' in a perpendicular direction to the magnetized directions and a supporting direction

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being larger than a width size of the first magnet 3. Yagashita disclosed the first magnet and the second magnet unit and the moving means 10, 11 for moving a plurality of magnets which constitute the second magnet unit in a third direction perpendicular to the first direction and second direction, note that both cabin and helicopter body are attached in such a manner to cope with loads in three directions of a vertical, a lateral and a longitudinal direction, see abstract. Yagashita failed to disclose an exposure apparatus and/ or a device manufacturing method, the claimed invention differs only in the intended use and are taught by Tanaka. It would have been obvious to one of ordinary skill in the art to have use the teaching of Tanaka with the supporting apparatus of Yagashita as a matter of intended use and sized the apparatus accordingly based on the intended use.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariano Sy whose telephone number is 571-272-7126. The examiner can normally be reached on Mon.-Fri. from 8:30 A.M. to 2:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan, can be reached on 571-272-6786. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

msy

M. Sy

January 31, 2006

James McClellan
JAMES MCCLELLAN
PRIMARY EXAMINER
2/3/06